
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

BRANDY DAILEY,

Plaintiff,

versus

WRIGHT NATIONAL FLOOD INS.
COMPANY,

Defendant.

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CIVIL ACTION NO. 1:18-CV-500

ORDER TO CONDUCT RULE 26(f) CONFERENCE

Pursuant to 28 U.S.C. § 636(b) and the Local Rules for the United States District Court for the Eastern District of Texas, United States District Judge Marcia A. Crone referred this matter to the undersigned magistrate judge for pretrial management. Having been informed by the Clerk that one or more defendants in this case have appeared by filing an answer or otherwise, the Court directs the parties to confer as required by FED. R. CIV. P. 26(f) no later than **February 22, 2019**.

In addition to a discussion of the items set forth in Rule 26(f), the parties shall attempt in good faith to agree on certain matters, including deadlines for a proposed Scheduling Order, and shall file with the court a joint written report outlining their proposals no later than **March 8, 2019**.

The parties are advised that the Hon. Marcia A. Crone's procedures and rules of practice apply and shall govern this action. To comply with Judge Crone's requirements, the parties must include the following matters in their joint conference report:

1. A factual and legal description of the case that sets forth the elements of each cause of action and each defense;
2. The date the Rule 26(f) conference was held, the names of those persons who attended, and the parties they represented;
3. A list of any cases related to this case pending in any state or federal court, identifying the case numbers and courts along with an explanation of the status of those cases;
4. An agreed discovery/case management plan, if agreement can be reached, which will be used by the court to prepare a Scheduling Order (a Scheduling Order form is attached). The parties are encouraged to submit a completed Scheduling Order with their joint conference report, including proposed deadlines for the following:
 - a. Joining additional parties;
 - b. Filing amended pleadings;
 - c. Disclosing expert testimony pursuant to FED. R. CIV. P. 26(a)(2) and Local Rule CV-26(b);
 - d. Completing all discovery;
 - e. Filing motions, including motions to transfer, to remand, to exclude or limit expert testimony, to dismiss, and for summary judgment;
5. A suggested date for the Final Status Conference (see attached list of Judge Crone's available Final Status Conference dates), at which time the final pretrial conference and the trial will be scheduled;
6. The expected length of trial and whether it will be to a jury or the bench;

7. Whether the parties jointly consent to trial before a magistrate judge (if so, execute the Consent to Proceed before Magistrate form, which can be found on the Court's website at www.txed.uscourts.gov); and
8. Whether the parties request a conference with the court pursuant to FED. R. CIV. P. 16(b) before entry of the Scheduling Order.

The joint conference report must be signed by counsel for each party and by any unrepresented parties. All parties should keep in mind that the failure to participate fully in the Rule 26(f) conference or to submit the joint conference report on a timely basis may result in the imposition of sanctions authorized by FED. R. CIV. P. 16(f).

SIGNED this the 1st day of February, 2019.



KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT * * * * * EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

versus

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CIVIL ACTION NO. 1: __-CV-__

SCHEDULING ORDER

The following schedule shall be followed.

1. _____ NEW PARTIES shall be joined, without leave of court, by this date.
2. _____ The pleadings shall be AMENDED, without leave of court, by this date.
3. _____ PLAINTIFF shall designate EXPERT WITNESSES in writing and provide expert reports by this date.
4. _____ DEFENDANT shall designate EXPERT WITNESSES in writing and provide expert reports by this date.
5. _____ DISCOVERY shall be completed by this date.
6. _____ MOTION CUT-OFF. Aside from motions in limine, no motion, including motions to exclude or limit expert testimony, shall be filed after this date except for good cause shown. Without leave of court, a party may file only one summary judgment motion. **(This date must be at least 2 weeks after the discovery completion date.)**
7. _____ The JOINT PRETRIAL ORDER, including motions in limine and a proposed charge or proposed findings of fact and conclusions of law, shall be filed and proposed trial exhibits shall be exchanged on or before this date. **(This date must be at least 12 weeks after the motion cut-off.)**
8. _____ OBJECTIONS TO proposed exhibits, witnesses, and deposition excerpts, as well as responses to motions in limine, shall be filed by this date. **(This date must be no more than 1 week after the Joint Pretrial Order is due.)**
9. _____ FINAL STATUS CONFERENCE at 10:00 a.m. **(Select a date from the attached list, which must be at least 2 weeks after the Joint Pretrial Order is due.)** The case will be set for Final Pretrial Conference and Trial at the Final Status Conference. The parties should be prepared to try the case by this date.
10. _____ Estimated time to try before a jury/the court. **(Underline one.)**

SIGNED at Beaumont, Texas, on this _____ day of _____, 20__.

KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE

Beaumont Final Status Conference Dates for Judge Marcia A. Crone

(Select one of the dates listed below to complete Number 9 of the Scheduling Order)

August 2, 2019
September 6, 2019
October 4, 2019
November 1, 2019
December 6, 2019

January 3, 2020
February 7, 2020
March 6, 2020
April 3, 2020
May 1, 2020
June 5, 2020
July 2, 2020
August 7, 2020
September 4, 2020
October 2, 2020
November 6, 2020
December 4, 2020

January 8, 2021
February 5, 2021
March 5, 2021
April 2, 2021
May 7, 2021
June 4, 2021
July 2, 2021
August 6, 2021
September 3, 2021
October 1, 2021
November 5, 2021
December 3, 2021

January 7, 2022
February 4, 2022
March 4, 2022
April 1, 2022